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2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Ninth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Chile

1. This report is issued pursuant to measure 20 agreed upon in the plan of action contained in the final document approved in the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

2. Chile has insisted that States possessing nuclear weapons should apply principles of transparency, verifiability and irreversibility to all nuclear disarmament measures. The more information that exists on how States fulfil their binding commitments under the Treaty, particularly those concerning the nuclear disarmament commitment, as stipulated in Article VI, the greater will be the international community's trust in the regime. Clearly, trust-building measures are essential for constructing sustainable and lasting disarmament and non-proliferation regimes. Our country will continue to encourage States that possess nuclear weapons to adopt practical transparency measures in respect of their nuclear weapons and the management of their arsenals.

3. Chile is committed to the Treaty on the Non-Proliferation of Nuclear Weapons, and its three pillars. Unfortunately we have not seen balanced progress in the pillars of this instrument over these last four decades. On the one hand, the scope of the peaceful uses of nuclear energy is expanding substantively and rapidly, supporting the development of nuclear-electric energy, medicine, agriculture, industry, and other human activities. On the other hand, while countries that possess nuclear weapons and have obligations under this treaty have reduced their arsenals, they have not eliminated them; in fact they have actually modernized them, thus keeping the commitment to nuclear disarmament incomplete.

4. Our country has a real commitment to the obligations contained in Article VI of the Treaty, so we share the frustration expressed in previous conferences on the lack of progress in implementing this article, which advocates nuclear disarmament and the adoption of an agreement prohibiting nuclear weapons. We believe that the correct path to disarmament entails the multilateral negotiation, under the auspices of the United Nations and its specialized forums, of a binding instrument outlawing

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nuclear weapons that is verifiable, irreversible, and universal. To that end, we participate in multilateral, regional and bilateral initiatives that have the political aim of finding mechanisms for discussion and analysis to achieve the objective of a nuclear-weapon-free world. Chile also promotes the development, dissemination and education activities undertaken by the international community, and the goals of awareness-raising actions for disarmament and non-proliferation in various forums.

5. Chile is an active member of the Non-Proliferation and Disarmament Initiative (NPDI), which aims to implement the plan of action proposed at the most recent Conference of the Parties. This reaffirms our position on nuclear disarmament. Thus, not only have we promoted multilateral efforts aimed at achieving the objectives proposed by the Non-Proliferation Treaty, but we have also been an active party in initiatives of this type, which provide powerful platforms for establishing new guidelines in the field of international security. Currently, as members of the Initiative, we are working to further develop the provisions of Article X.1, to avoid erroneous interpretations that undermine the integrity of the non-proliferation regime. On this point, Chile has prepared a working paper on Article X.1, which will be included in the global document to be presented by the Initiative at the 2015 Conference of the Parties.

6. Chile, along with Malaysia, New Zealand, Nigeria, Sweden and Switzerland, comprise the De-Alerting Group, which intends to reduce the operational availability of nuclear weapons systems and thus ensure that all such weapons cease to be on alert status. This is a key aspect of the process of building regimes of trust. For this initiative to be successful, it is important that not only States parties to the Treaty adopt these measures, but also that States outside the Treaty suspend the alert status of their nuclear weapons. Clearly, the work of this group should be implemented in the Treaty regime, because a reduction in the operational availability of nuclear weapons systems would demonstrate a commitment to reduce the role of nuclear weapons in defence and security doctrines. It would also be a valuable trust-building measure, and an important step towards nuclear disarmament.

7. Our country reiterates the importance of the entry into force of the Comprehensive Nuclear Test Ban Treaty, so we urge countries that are parties to Annex 2 of the Treaty to formally adopt this instrument, if they have not yet ratified it. The most recent nuclear tests, undertaken by the Democratic People's Republic of Korea, reaffirm the urgent need to complete deployment of the verification mechanism stipulated in this Treaty, thereby consolidating the legal authority and technical efficacy existing in the work of the Comprehensive Nuclear Test Ban Treaty Organization (CTBTO). Without doubt, this Treaty will boost efforts to prevent the proliferation of nuclear weapons, and to limit the upgrading and development of existing nuclear arsenals. On this point, our country has provided surveillance stations on its continental and island territory, in the four technologies that make it possible to detect nuclear tests. The surveillance stations operating in our territory are: three on Easter Island, plus one more to be certified; one on Robinson Crusoe Island; one on Juan Fernández island; one in Limón Verde and one in Punta Arenas. All of this reflects the importance Chile accords to the Comprehensive Nuclear Test Ban Treaty.

8. Chile believes that to develop the disarmament and non-proliferation regime, it is essential to establish a non-discriminatory, multilateral and effectively verifiable

treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, which takes account of current stocks of fissile material. For that reason, we voted in favour of General Assembly resolution 67/53, and we will support the work of the group of governmental experts on fissile material, which should serve as technical support to the work of the Disarmament Conference. Without doubt, this topic is crucial for the success of future actions arising from the Non-Proliferation Treaty.

9. As a non-nuclear-weapon State, Chile reiterates its firm commitment to the provisions contained in Article II of the Treaty, so we will not manufacture or acquire nuclear weapons or other explosive nuclear devices. Pursuant to the provisions of Articles I and II, our country is party to all regional and universal instruments that reject nuclear weapons and their proliferation, namely the Antarctic Treaty, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (the Treaty of Tlatelolco), and the Comprehensive Nuclear Test Ban Treaty (CTBT). Moreover, Chile has traditionally and permanently promoted this objective in all forums and regimes relating to disarmament, non-proliferation and weapons control, namely the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the Disarmament Conference, the Disarmament Committee, the First Committee of the General Assembly, and the Comprehensive Nuclear Test Ban Treaty Organization (CTBTO).

10. As a non-nuclear-weapon State, Chile has committed to the safeguards system of the International Atomic Energy Agency (IAEA). Our country is a State party of the IAEA Comprehensive Safeguards Agreement and its additional protocol; and it firmly supports that agency's global verification regime. It does not possess nuclear power reactors, but does have research reactors that are subject to IAEA safeguard measures. Consequently, all dual-use material is subject to safeguard measures by the Agency. The establishment of safeguards, in combination with the additional protocols signed with the IAEA, should be a priority for States that defend their right to use nuclear energy for peaceful purposes. Chile believes that transparency in nuclear energy development plans is the best way to protect that right. Our country urges States that have not yet signed these safeguard agreements to do so as soon as possible. Chile also promotes the universalization of the additional protocol as the international standard on safeguards.

11. In 2012, Chile acquired a commitment, through the IAEA, to strengthen its nuclear and radiation security at the national level, by implementing an Integrated Nuclear Security Support Plan (INSSP), which is currently being developed. In 2013, during an initial phase in the development of the INSSP, a diagnostic mission was undertaken by the International Consultative Service on Nuclear Security (INServe). The mission's purpose was to evaluate the national architecture of nuclear and radiation safety, and to make initial recommendations for its upgrading. We have also developed a nuclear physical security support centre, aimed mainly at developing human resources and providing training on nuclear security, in the various institutions responsible for this.

12. Our country draws on support mechanisms (IAEA and other entities), such as the international missions of physical protection advisory services, for reviewing its systems for the physical protection of civil nuclear materials and facilities. In that regard, Chile makes intensive use of international support, as needed; and it benefits, through the IAEA, from the missions of the International Physical

Protection Advisory Service (IPPAS) of the Office of Nuclear Security (NSNS), and from the United States, from missions of the Global Threat Reduction Initiative of the National Nuclear Security Administration Office (GTRI).

13. In bilateral actions to strengthen security at sources, an administrative agreement was signed between the Canadian Nuclear Safety Commission and the Chilean Nuclear Energy Commission, for the importation and exportation of radioactive sources, all of this based on the principles of the Code of Conduct on the Technological and Physical Safety and Security of Radioactive Sources. This helps countries become better prepared to monitor and control risks associated with sources.

14. It is also adopting the necessary measures at the national, bilateral or multilateral levels, to improve its technical capacities, including the appropriate use of new and innovative technologies to prevent and combat illicit traffic in nuclear materials. Since 2011, Chile has been pursuing an active regional agenda in the MERCOSUR Specialized Working Group on Illicit Traffic in Nuclear and/or Radioactive Material (GTETIMNR). This means generating capacities to prevent, detection, respond, and provide training in situations of radioactive risk, particularly at border control points. Border control points have been defined, by risk categories, to be strengthened in their capacity to monitor and control sources entering or leaving Chile.

15. In that context, it maintains a policy and specific control measures on exports and imports, focusing on nuclear technologies and those defined as of dual nature.

16. Our country attaches special importance to nuclear material accounting for the purpose of nuclear security, and for the last 20 years it has applied a system of accounting for such materials, based on IAEA recommendations. In addition, it adhered to, signed, and finally ratified in the National Congress the International Convention for the Suppression of Acts of Nuclear Terrorism, through Decree to 252 of the Ministry of Foreign Relations, which entered into force on 27 September 2010.

17. Chile is an active participant in the physical protection initiatives of the International Atomic Energy Agency (IAEA), holding meetings both in the country and in the various mechanisms developed worldwide.

18. Our country reaffirms and defends the inalienable right of States parties to the Treaty to use and develop nuclear technology for peaceful purposes, pursuant to Article IV, provided they do not transgress the provisions on non-proliferation specified in any other articles of the Treaty. In relation to the use of nuclear energy for peaceful purposes and other measures, Chile promotes the generation and transfer of applications of nuclear energy, radiation and similar technologies in the fields of health, agriculture, mining, environment and industry in general, to help to improve the conditions in which society develops, so as to enhance national capacities in the broadest possible sense.

19. In that context, Chile is an active participant in the programmes and projects implemented by the IAEA internationally. The benefits it receives and has received as an IAEA member State have made a significant contribution to development, through technical cooperation, support for the development and training of human resources from other countries and from its political and diplomatic representation in the agency. Through its permanent financial contribution, Chile plays its part in

ensuring the continuity of the activities and strengthening the impact of nuclear and radiation applications in member States.

20. Our country participates energetically in activities to enhance preparedness and capacities to respond to emergencies arising from the potential for nuclear or radiation incidents — particularly IAEA activities in relation to the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in Case of a Nuclear Accident or Radiological Emergency, of which Chile is a party.

21. In relation to nuclear materials, Chile has converted its enriched uranium reactors to less than 20%, and does not have highly enriched nuclear fuel. The separation of plutonium is also not one of the activities included in our country's nuclear fuel cycle. In principle, unused nuclear materials are sent for waste management. Lastly, all research and development initiatives in principle do not include the use of highly enriched uranium.

22. We applaud the progress made by participating countries to reduce their availability of highly enriched uranium (HEU), which brings us closer to the common objective proposed in the 2010 Nuclear Security Summit held in Washington, to eliminate all unnecessary nuclear material. Our country decided to modify its research reactors to do away with the use of HEU. For that purpose, we signed an agreement with the United States and the IAEA to set up a mechanism to facilitate the exchange of HEU for low-enriched uranium (LEU).

23. Chile believes the use of nuclear energy for peaceful purposes should take special care to preserve the security of the facilities, material and nuclear technologies. In this regard, it values the Nuclear Security Summit Process, and has participated very actively in its three meetings. Our country is particularly worried about the safe transportation of radioactive wastes and materials. As a coastal state, Chile needs early notification of shipments of this type, and it urges respect for the liability conventions covering this type of transportation in the event of accident. Chile is currently chairing the dialogue between shipping and coastal states in Vienna, which aims to bring positions closer together and promote the defence of persons and the environment.

24. In the Nuclear Security Summits, we have reaffirmed the commitment to strengthen the physical security of nuclear material, in all its stages; reducing and preventing the threat of nuclear terrorism, from criminals and other unauthorized actors with intentions to acquire nuclear materials; promoting the culture of nuclear physical security; strengthening physical security in the transportation of nuclear material and combating the illicit trafficking of nuclear material.

25. We believe it is important to promote the establishment of nuclear-weapon-free zones, to strengthen the disarmament and non-proliferation regime. The establishment of internationally recognized and verifiable nuclear-weapon-free zones in various regions, is a political and legal commitment by a set of States, including Chile, which commit themselves mutually and with the international community, to stay nuclear-weapon-free.

26. Chile is a party to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean and of its verification agency. The establishment of this first nuclear-weapon-free zone has been decisive for assuring trust and consolidating the region as a space of harmonious coexistence and peace. Our own experience has led us to support the global efforts to set up a nuclear-weapon-free zone in the

Middle East. We are confident that constructive dialogue will make it possible to hold an inclusive, substantive conference leading to the establishment of a zone that is free of weapons of mass destruction and their vectors, on an effective and verifiable basis.

27. We are firmly committed to the so-called humanitarian approach to nuclear disarmament, which seeks to inculcate, in world opinion, not only the horrendous humanitarian consequences of the use of atomic weapons, but also the radical incompatibility that exists between their possession and use and the general standards of international humanitarian law and the international human rights system, since it is contrary to the usages established among civilized peoples, by the laws of humanity, and the dictates of public conscience. Moreover, following three international conferences on the subject, an advisory opinion issued by the International Court of Justice, numerous declarations from the International Committee of the Red Cross, and a number of studies from various academic specialties, the use of nuclear weapons is implacably contrary to the basic principles of human rights law of humanity, military need, Geneva law, humanitarian priority, distinction, limitation of hostile action, and in the event of a possible attack on a State without nuclear weapons, the principle of proportionality.

28. As Chile is fully committed to the process of developing this humanitarian approach to nuclear weapons, we have participated actively in the three international conferences that have been held by the Humanitarian Initiative on the Impact of Nuclear Weapons. These conferences, in Oslo, Nayarit and Vienna, have shown that the world is not prepared to respond adequately to a nuclear explosion. A nuclear attack or accident would have immediate and long-term consequences. It hardly seems necessary to mention the immediate consequences of a nuclear detonation on a city — the world has already witnessed this; but it is necessary to draw attention to the consequences in terms of economic and social development, climate, social systems, and all of human activity generally. We have no doubt that we are not prepared for that, nor will we be.